

REMARKS/ARGUMENTS

On June 19th, the attorney for Applicants held a phone interview discussing the prior art rejections with respect to the independent claims. The Examiner requested that Applicants submit the presented arguments and indicated that the arguments would likely overcome the rejection. Applicants submit the presented arguments herein to overcome the prior art rejections.

Applicants amended claims 9, 20, and 30 to provide antecedent basis for the “search criteria” limitation.

Applicants amended claims 11 and 32 to provide antecedent basis for the “text” element. The Examiner rejected claims 1-32 as anticipated (35 U.S.C. §102) by Herz (U.S. Patent No. 5,754,939). Applicants traverse for the reasons discussed herein.

Independent claims 1, 12, and 22 concern generating output material. The claims require generating a customer record in a first database table to include fields specifying at least one product, customer preferences, and a selected output method to deliver generated output material on the product specified in the customer record. At least one customer record in the first database table is received to process. At least one content file is accessed by processing a second database table using values in one received customer record. The content of each accessed file is generated into the output material. A determination is then made of one of a plurality of delivery options from the customer record and the output material is transmitted via the determined delivery option to the customer specified in the customer record.

The Examiner cited col. 78, lines 38-48 and 59-67 as disclosing the claim requirement of generating a customer record in a first database table to include fields specifying at least one product, customer preferences, and a selected output method to deliver generated output material on the product specified in the customer record. (Third Office Action, pg. 2) Applicants traverse.

The cited col. 78 mentions generating sets of search profiles of users based on the occurrence of words in the articles they read by passively monitoring the users. Menus are generated to allow users to retrieve articles on topics of interest based on their search profile. The target objects may comprise any class of target objects for which profiles can be generated, such as news articles, work articles, electronic mail, product or service descriptions.

Although the cited col. 78 discusses profiles of users based on attributes of the frequency of the occurrence of words they read, nowhere does the cited col. 78 disclose a customer record

having the combination of fields including a specified product, customer preferences, and a selected output method to deliver generated output material on the product specified in the customer record. Instead, the cited col. 78 discusses a user profile having attributes such as the relative frequency of occurrence of words in articles they read to determine future articles of interest for the user.

The Examiner cited col. 6, lines 10-17 of Herz as disclosing the claim requirement of determining one of a plurality of delivery options from the customer record. (Third Office Action, pg. 3) Applicants traverse.

The cited col. 6 discusses how target objects can be a newspaper story, a movie to watch, an item to buy, an email to receive. The cited col. 6 mentions that the information delivery process is based on determining the similarity between a profile for the target object and profiles of target objects for which the user has provided positive feedback.

Nowhere does the cited col. 6 anywhere disclose determining one of a plurality of delivery options from the customer record to use to transmit the output material to the customer specified in the customer record. Instead, when the cited col. 6 discusses a “delivery process”, which is described as determining the similarity between a profile for the target object and profiles of the user. The cited “delivery process” is not a delivery option indicated in the customer record such that the output material is transmitted via the delivery option determined from the customer record as claimed.

The Examiner cited col. 31, lines 6-17 of Herz as disclosing the claim requirement of transmitting the output material via the determined delivery option to the customer specified in the customer record. (Third Office Action, pg. 3) Applicants traverse.

The cited col. 31 discusses how servers transmit encrypted or unencrypted messages amongst themselves having textual and/or graphic information stored in a file, and data describing the origin of this file. Some messages are not associated with any file, but are sent by one server to other servers for control reasons.

Although the cited col. 31 discusses how servers may communicate messages to one another, nowhere does the cited col. 31 anywhere teach or suggest transmitting the output material via the determined delivery option to the customer specified in the customer record.

Accordingly, Applicants submit that claims 1, 12, and 22 are patentable over the cited art because the cited Herz does not disclose all the claim requirements.

Claims 2-11, 13-21, and 23-32 are patentable over the cited art because they depend from claims 1, 12, and 22, which are patentable for the reasons discussed above.

Claims 3, 14, and 24 depend from claims 1, 12, and 22 and further require that generating the customer records comprises executing a mining program against a database including customer information to determine information to populate at least one customer record from the customer. The Examiner cited col. 70, lines 64-67 of Herz as disclosing the additional requirement of these claims (Third Office Action, pg. 3). Applicants traverse.

The cited col. 7 mentions that non-purchasable objects, such as artwork, advertisements and free samples may be added to a display of purchasable objects, if they are associated with the same users as are the purchasable objects for display.

Nowhere does the cited col. 7 disclose executing a mining program to mine a data base including customer information to determine information to use to populate one customer record. Instead, the cited Herz mentions that non-purchasable objects may be added to a display of purchasable objects.

Accordingly, claims 3, 14, and 24 provide additional grounds of patentability over the cited art.

Claims 5, 16, and 26 depend from claims 4, 15, and 25 (which require that the delivery options include electronic mail, facsimile and postal mail) and further require automatically transforming the output material to a format compatible with the selected delivery option, wherein a different format is used for each delivery option, The transformed output is transmitted to the customer via the selected delivery option.

The Examiner cited col. 73, lines 16-17, col. 7, lines 20-24, and col. 64, lines 30-31 of Herz as disclosing the additional requirements of these claims. (Third Office Action, pg. 4) Applicants traverse.

The cited col. 73 mentions that the users may write messages and post them to virtual communities of their choice. The cited col. 6 mentions that one might receive items posted to a news group, but few people have time or inclination to read so many articles. A filtering system in the system for customized electronic identification of desirable objects selects a set of articles the user is likely to read. The cited col. 64 mentions that the server sends menus to the user by fax, while the user selects choices via the telephone's touch keypad.

Although the cited Herz discusses how to provide information to a user, this is different from the claim requirement of transforming output material to a format compatible with a selected delivery option, e.g., fax, mail, e-mail etc. Thus, nowhere do these cited sections of Herz anywhere disclose the claim requirement of automatically transforming output material to a format compatible with a selected delivery option indicated in the customer record. Further, nowhere does the cited Herz disclose the claim requirement that a different format is used for each delivery option.

Accordingly, claims 5, 16, and 26 provide additional grounds of patentability over the cited art.

Claims 7, 18, and 28 depend from claims 4, 15, and 25 (which require that the delivery options include electronic mail, facsimile and postal mail) and further require that the output material is automatically transmitted using one of the selected delivery options after generating the output material and further automatically printed for subsequent postal mailing to a customer street address.

The Examiner cited col. 46, lines 17-20 of Herz as disclosing the additional requirements of these claims. (Third Office Action, pg. 4) Applicants traverse.

The cited col. 47 mentions that if a message does include adequate credentials, the proxy server removes a single use return address envelop from its database record and uses the envelop to send a message containing the specific information along a secure mix path to the user.

Nowhere does the cited col. 7 disclose the requirement that the output material is printed and mailed after being automatically transmitted using the selected delivery option. Instead, the cited col. 47 concerns an electronic message transmission.

Accordingly, claims 7, 18, and 28 provide additional grounds of patentability over the cited art.

Claims 8, 19, and 29 depend from claims 1, 12, and 22 and further require processing a template including queries of records in the second database table. Accessing at least one file using values in one received customer record comprises accessing at least one value in a field in one customer record to include in a query against the second database table and applying the query against the second database to determine a record associated with a file including fields matching the query. The accessed file is associated with the determined record. In such case,

generating the content into the output material comprises generating the content into the template, which forms the output material.

Claims 8, 19, and 29 require accessing a file using values in one customer record from the first database table to include in a query against the second database table to determine a record associated with a file such that the accessed file generated into the content is associated with the determined record.

The Examiner cited FIG. 16 of Herz, which discusses determining whether a query profile matches cluster profiles to locate target objects in a cluster matching the user information. (Third Office Action, pg. 4)

Nowhere does the cited Herz disclose the claim requirement of using a value from a customer record in the first database table field to include in a query against the second database table. Further, nowhere is there disclosure in the cited Herz of the claim requirement of generating content by using customer information from a first database table to query a second database table to determine a record, and then determine a file associated with the record to include in the content as claimed.

Accordingly, Applicants submit that claims 8, 19, and 29 provide additional grounds of patentability over the cited art.

Applicants submit that the further dependent claims 9-11, 20-22, and 30-32 provide further grounds of patentability over the cited art in combination with the base and intervening claims.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-32 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0457.

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The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: June 29, 2006

By: /David Victor/

David W. Victor
Registration No. 39,867

Please direct all correspondences to:

David Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984